

AO 91 (Rev. 08/09) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

United States District Court
Southern District of Texas
FILED

NOV 25 2014

United States of America)

v.)

Reynaldo Soto)

YOB: 1979)

United States Citizen)

Defendant(s)

Clerk of Court

Case No.

M-14-2237-M

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of November 24, 2014 in the county of Hidalgo in the
Southern District of Texas, the defendant(s) violated:

Code Section

Offense Description

18 USC 922(g)(1)

Unlawful to possess a firearm (ammunition) that had previously traveled in and affected interstate commerce, after being convicted in a court of law for a felony crime punishable by imprisonment for a term exceeding one year.

This criminal complaint is based on these facts:

See Attachment A

☒ Continued on the attached sheet.Approved
Joseph LeonardDavid B. Weiss
Complainant's signatureDavid B. Weiss - ATF Special Agent
Printed name and title

Sworn to before me and signed in my presence.

Date:

11/25/2014

Dorina Ramos
Judge's signature

City and state:

McAllen, Texas

U.S. Magistrate Dorina Ramos
Printed name and title

ATTACHMENT A

I, Special Agent David B. Weiss, affiant, do hereby depose and state the following:

I am a Special Agent of the United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF). I have been a law enforcement officer since April 2007.

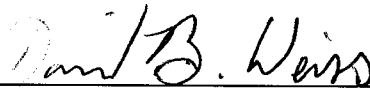
1. My duties include the investigation of violations of Federal firearms laws. I know it to be unlawful for any person who has been convicted of a crime punishable by more than one year in prison to possess a firearm or ammunition.
2. On November 24, 2014, in McAllen, Texas, ATF Special Agent David B. Weiss was contacted by a police officer from Pharr Police Department (PD) regarding a traffic stop involving Reynaldo SOTO. During the traffic stop, twenty-three twenty round boxes of Monarch brand, 7.62 x 39mm ammunition were recovered from SOTO's vehicle.
3. Reynaldo SOTO's vehicle was stopped by Pharr PD for a malfunctioning signal light. While conducting the traffic stop the Pharr PD officer asked for consent to search the vehicle. The consensual search resulted in the recovery of the ammunition. Criminal history queries showed that SOTO has prior felony convictions and is currently on parole. Following the search, SOTO was taken to the Pharr Police Department for further investigation. Pharr PD notified ATF of SOTO's status and your affiant responded to Pharr PD.

ATTACHMENT A

4. Prior to any questioning your affiant read SOTO his Miranda Rights. SOTO agreed to be interviewed by your affiant and signed the waiver portion of the ATF Rights form. SOTO stated that the ammunition in the vehicle belonged to him. SOTO stated that he was aware that he is not allowed to legally possess a firearm or ammunition. SOTO admitted to being a convicted felon and currently being on parole. SOTO stated that he purchased the ammunition approximately three days ago on or around November 21, 2014 at Academy Sports and Outdoors in McAllen, Texas. SOTO stated he had purchased the ammunition for someone else and knew it was going to be sent to Mexico. SOTO stated that he was the one who placed it in the car. Lastly, the aforementioned interview was video recorded.

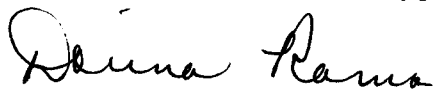
5. Criminal history queries show that SOTO has the following felony convictions: Manslaughter and Aggravated Robbery in the 92nd District Court of Edinburg, Texas in December 2003 (Cause numbers: CR354703A, CR314203A).

6. On today's date, your affiant spoke with the ATF Firearms Interstate Nexus expert Special Agent Patrick Briody. SA Briody stated the ammunition is manufactured outside of Texas and affects interstate or foreign commerce.

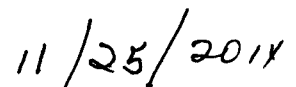


David B. Weiss - ATF Special Agent

Sworn to before me and subscribed in my presence,



U.S. Magistrate Dorina Ramos



Date